

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

ONLY AL-KHIDHR

PLAINTIFF

V.

CIVIL ACTION NO. 1:07CV1223LG-RHW

HARRISON COUNTY, MISSISSIPPI BY AND
THROUGH ITS BOARD OF SUPERVISORS;
HARRISON COUNTY SHERIFF GEORGE PAYNE;
WAYNE PAYNE; DIANE GATSON RILEY;
STEVE CAMPBELL; RICK GATSON; RYAN TEEL;
MORGAN THOMPSON, JOHN DOES 1-4,
AMERICAN CORRECTIONAL ASSOCIATION,
JAMES A. GONDLES, JR., UNKNOWN DEFENDANTS
1-3 EMPLOYEES OF AMERICAN CORRECTIONAL
ASSOCIATION; HEALTH ASSURANCE LLC;
UNKNOWN DEFENDANTS 1-2 EMPLOYEES OF
HEALTH ASSURANCE, LLC

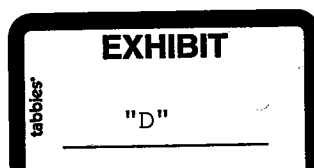
DEFENDANTS

AFFIDAVIT IN SUPPORT OF
MOTION TO COMPEL OF HALEY N. BROOM, ESQ.

Affidavit in support of Motion to Compel against Plaintiff, Only Al-Khidhr:

Haley N. Broom, who being by me first duly sworn, upon information and belief,
states the following:

1. That I am an attorney for the Defendants, Harrison County Sheriff's Department, George H. Payne, Jr., Dianne Gatson-Riley, Wayne Payne, and Steve Campbell in their official and individual capacities.
2. The Plaintiff, Only Al-Khidhr, filed his Complaint against the Defendants, on November 26, 2007.
3. On August 9, 2008, Plaintiff produced his list of pre-discovery disclosure.
4. The Affiant would state that the documents and/or materials listed in the pre-discovery disclosure were never received from Plaintiff nor were executed medical waivers.



5. On September 11, 2008, and November 10, 2008, defense counsel made a good faith effort with Plaintiffs to resolve this discovery issue by sending correspondence to Plaintiff and on November 26, 2008 defense counsel made a final good faith effort by sending correspondence with an enclosed Good Faith Certificate.

6. On September 11, 2008, defense counsel sent correspondence, requesting documents and/or materials listed in Plaintiff's pre-discovery disclosure as well as the execution of medical waivers.

7. On November 10, 2008, defense counsel sent a second correspondence, requesting documents and/or materials listed in Plaintiff's pre-discovery disclosure and again requested the execution of medical waivers.

8. On November 26, 2008 defense counsel sent a third correspondence in a good faith effort with Plaintiff to resolve this pre-discovery issue with an enclosed Good Faith Certificate.

9. To date, Defendants have not received any of the documents and/or materials listed on Plaintiff's pre-discovery disclosure, the medical waivers, nor a signed Good Faith Certificate from the Plaintiff.

WITNESS my signature on this the 1st day of December, 2008.


HALEY N. BROOM

SWORN TO AND SUBSCRIBED BEFORE ME, this the 1st day of December, 2008.

My Commission Expires: 9/18/2012

